

01-03-02

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Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. M12C1FDF3D2

First Inventor Edwards et al.

Title Process for Altering the Host Range of *Bacillus thuringiensis*  
Toxins, and Novel toxins Produced Thereby

Express Mail Label No. EF 370336455 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **94**]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **16**]
5. Oath or Declaration [Total Pages **3**]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

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Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent. Request to Use Computer
17. ☒ Other: Readable Format from Prior appl.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Prior application information:

Examiner Amy Nelson

of prior application No.: 09 / 405,788

Group Art Unit: 1638

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

23,557

or ☐

Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Jeff Lloyd

Registration No. (Attorney/Agent)

35,589

Signature

Date

27 DEC. 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## FEE TRANSMITTAL FORM

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor(s): David L. Edwards, Corinna Herrnstadt, Edward R. Wilcox, Siu-Yin Wong

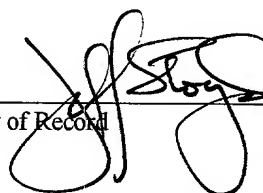
Entitled: Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins Produced Thereby

- A Utility Patent Application Transmittal Form accompanies this Fee Transmittal Form.
- The filing fee is calculated below:

CLAIMS AS FILED				
	Number filed	Number Extra	Rate	Fee
Basic Fee				\$ 740.00
Total Claims	1	- 20 = 0	x \$18	0.00
Independent Claims	1	- 3 = 0	x \$80	0.00
Presentation of Multiple Dependent Claim(s) (\$280)				-0-
Total Filing Fee				\$ 740.00

- Please charge \$ 740.00 to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional filing fees which may be required, or credit any overpayment, to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
- This application is being mailed by Express Mail under 37 CFR 1.10 and the required certificate appears below.

27 DECEMBER 2001  
Date

 \*35,189  
Attorney of Record

## CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail No.: EF 370336455 US Date of Deposit: December 27, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Virginia L. Minns  
Name of person mailing paper

  
Signature

December 27, 2001

Patent Application  
Docket No. M12C1FDF3D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : David L. Edwards, Corinna Herrnsstadt, Edward R. Wilcox,  
Siu-Yin Wong

Docket No. : M12C1FDF3D2

For : Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins  
Produced Thereby

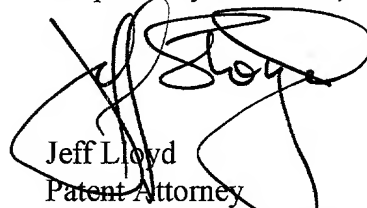
Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST TO USE COMPUTER READABLE FORMAT  
FROM PRIOR APPLICATION  
AND STATEMENT UNDER 37 CFR §1.821

Sir:

It is respectfully requested that the computer readable format of application Serial No. 09/405,788, entitled "Process for Altering the Host Range of *Bacillus thuringiensis* Toxins, and Novel Toxins Produced Thereby," filed September 27, 1999 by applicants David L. Edwards, Corinna Herrnsstadt, Edward R. Wilcox, and Siu-Yin Wong, also be used as the computer readable format for the subject application. I hereby certify that the sequence listing in the subject application and the sequence listing in application Serial No. 09/405,788 contain identical sequence information.

Respectfully submitted,



Jeff Lloyd  
Patent Attorney  
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JL/gm